IN THE HIGH COURT OF JUDICATURE OF BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

SUMMONS FOR JUDGMENT NO.313 OF 2007
WITH
SUMMARY SUIT NO.483 OF 1989

Rajesh Kaushal. ..Plaintiff.

V/s.

Miss Ketty d/o Jehangir H. Dhanjibhoy & Anr. ..Defendants.

Mr.S.A.Ahmed i/b. Thakkar & Bali for Plaintiff.

Ms.Trupti P. Sanghavi for Defendant No.2.

CORAM: A.M.KHANWILKAR,J

DATE : SEPTEMBER 27, 2007.

P.C. :

1. As the Suit though filed as Summary Suit has remained pending for last almost 19 years and the present Summons for Judgment has been taken out recently, in my opinion, it will be in the interest of justice to permit the Defendants to contest the suit claim unconditionally. Summons for Judgment is therefore, rejected.

2. In so far as the Suit is concerned, I am informed that there are other 8 matters pending between the same parties(S.S.Nos.1672/88, 1673/88, 1674/88, 1570/88, 2110/88, 2951/88, 2185/88 and 2513/88). If it is so, it is appropriate that all

the 9 cognate suits be listed before one bench so that the parties can be pursuaded to explore the possibility of amicable settlement, if possible. I am informed that all suits are listed before different benches. For the reason indicated earlier, office shall take immediate steps for listing of all the suits together before one bench.

3. It will be open to the parties to apply to the Learned Chief Justice for appropriate direction in this behalf.

4. The suits be placed on 19th October, 2007 alongwith the companion suits under caption "direction" before appropriate bench.

(A.M.KHANWILKAR,J)